



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

September 3, 2024

BY ECF

Hon. Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street, Room 1610
New York, New York 10007

**Re: *New York Times & Khan v. U.S. Department of Defense,*
22 Civ. 9481 (DLC)**

Dear Judge Cote:

I write respectfully on behalf of Defendant the United States Department of Defense (“DoD”) in this action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), to request a one-week extension of the deadline, from today to September 10, to advise the Court of the status of DoD’s processing of the respective FOIA requests in this matter.

This case concerns four FOIA requests submitted by Azmat Khan (“Khan”), a reporter with The New York Times (collectively, “Plaintiffs”), seeking records from three DoD components relating to reported civilian casualties from military operations. Khan submitted one FOIA request to the United States Africa Command (“AFRICOM”), two requests to the United States Central Command (“CENTCOM”), and one request to the United States Army (“Army”). This Office is in the process of gathering information from the relevant DoD components regarding the status of the outstanding requests, but additional time is needed for two reasons. First, the AFRICOM personnel most knowledgeable about the processing of the records sought from that component has been unexpectedly delayed in returning from leave. Second, DoD has experienced technical issues in the transfer of records between classified and unclassified systems, which has complicated the review of certain records. DoD is actively working to resolve these issues.

For these reasons, DoD respectfully requests an additional week, until September 10, to submit its next status report. Plaintiff’s counsel kindly consents to the requested extension of time.

I thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

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